

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Roland DE LA METTRIE et al.)
)
Application No.: (Rule 53(b) Divisional of)
Application 09/319,208)) Group Art Unit: Unassigned
)
Filed: June 11, 2001) Examiner: Unassigned
)
For: OXIDIZING COMPOSITION AND)
USES FOR TREATING KERATIN FIBRES)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the above application, please amend this application
as follows:

IN THE CLAIMS:

Please cancel claims 1-32 without prejudice or disclaimer and add new claims
33-67 as follows:

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

33. (New) A ready-to-use composition for the oxidation dyeing of keratin fibres comprising:

- (a) at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme,
- (b) at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain, and
- (c) at least one oxidation base.

34. (New) A ready-to-use composition as claimed in claim 33, wherein said composition further comprises a support compatible for use with keratin fibres.

35. (New) A ready-to-use composition as claimed in claim 33, wherein said at least one oxidation base is chosen from para-phenylenediamines, double bases, ortho-aminophenols, para-aminophenols, heterocyclic bases, and acid addition salts of any of the foregoing.

36. (New) A ready-to-use composition as claimed in claim 33, wherein said at least one oxidation base is present in an amount ranging from 0.0005% to 12% by weight relative to the total weight of the ready-to-use composition.

Attorney Docket No.: 5725.0412-01
Application No.: unassigned

37. (New) A ready-to-use composition as claimed in claim 36, wherein said at least one oxidation base is present in an amount ranging from 0.005% to 6% by weight relative to the total weight of the ready-to-use composition.

38. (New) A ready-to-use composition as claimed in claim 35, wherein said acid addition salt is selected from hydrochlorides, hydrobromides, sulphates, tartrates, lactates, and acetates.

39. (New) A ready-to-use composition as claimed in claim 33, further comprising at least one coupler.

40. (New) A ready-to-use composition as claimed in claim 39, wherein said at least one coupler is chosen from meta-phenylenediamines, meta-aminophenols, meta-diphenols, heterocyclic couplers, and acid addition salts of any of the foregoing.

41. (New) A ready-to-use composition as claimed in claim 39, wherein said at least one couplers is present in an amount ranging from 0.0001% to 10% by weight relative to the total weight of the ready-to-use composition.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

42. (New) A ready-to-use composition as claimed in claim 40, wherein said acid addition salts are chosen from hydrochlorides, hydrobromides, sulphates, tartrates, lactates, and acetates.

43. (New) A ready-to-use composition as claimed in claim 33, further comprising at least one direct dye.

44. (New) A ready-to-use composition as claimed in claim 34, wherein said support compatible for use with keratin fibres is water or a mixture of water and at least one organic solvent.

45. (New) A ready-to-use composition as claimed in claim 44, wherein said at least one organic solvent is present in an amount ranging from 1% to 40% by weight relative to the total weight of the ready-to-use composition.

46. (New) A ready-to-use composition as claimed in claim 45, wherein said at least one organic solvent is present in an amount ranging from 5% to 30% by weight relative to the total weight of the ready-to-use composition.

47. (New) A ready-to-use composition as claimed in claim 33, which has a pH ranging from 5 to 11.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

48. (New) A ready-to-use composition as claimed in claim 47, which has a pH ranging from 6.5 to 10.

49. (New) A ready-to-use composition as claimed in claim 33, further comprising at least one cosmetic adjuvant chosen from anionic, cationic, nonionic, amphoteric, and zwitterionic surfactants; anionic, cationic, nonionic, amphoteric, and zwitterionic polymers; inorganic and organic thickeners; antioxidants; enzymes other than the 2-electron oxidoreductases; penetration agents; sequestering agents; fragrances; buffers; dispersing agents; conditioners; film-forming agents; preserving agents; opacifiers; and mixtures of any of the foregoing.

50. (New) A method for dyeing keratin fibres comprising applying a composition to said keratin fibres for a time sufficient to achieve a desired coloration, wherein said composition comprises:

(a) at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme,

(b) at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain, and

(c) at least one oxidation base,

in a support which is suitable for keratin fibres.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

51. (New) A method for dyeing keratin fibres as claimed in claim 50, wherein said composition is a ready-to-use composition.

52. (New) A method for dyeing keratin fibres, comprising:

- (a) obtaining a first composition comprising at least one oxidation base in a support suitable for dyeing,
- (b) obtaining a second composition comprising at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme of a 2-electron oxidoreductase type and at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain in a support suitable for dyeing,
- (c) mixing the first composition with the second composition to form a mixture, and
- (d) applying the mixture to the keratin fibres for a time sufficient to achieve a desired coloration.

53. (New) A method for dyeing keratin fibres as claimed in claim 52, wherein said first composition comprises at least one coupler.

54. (New) A method of treating keratin fibres comprising applying a composition to said fibres, wherein said composition comprises:

(a) at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme,

(b) at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain, and

(c) at least one oxidation base,
in a support which is suitable for keratin fibres.

55. (New) A multi-compartment kit for dyeing keratin fibres, comprising:

(a) a first compartment comprising a first composition comprising at least one oxidation base in a support suitable for dyeing, and

(b) a second compartment comprising a second composition comprising at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme of a 2-electron oxidoreductase type and at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain in a support suitable for keratin fibres.

56. (New) A multi-compartment kit as claimed in claim 55, wherein said first compartment further comprises at least one coupler.

05877031-001

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

57. (New) A method for treating keratin fibres to obtain a reshaping of said keratin fibres, said method comprising:

(a) applying a reducing composition to the keratin fibres, wherein the fibres are placed under mechanical tension before, during, or after the application of the reducing composition, and

(b) applying to the keratin fibres an oxidizing composition comprising at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme of a 2-electron oxidoreductase type, and at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain, in a support suitable for keratin fibres.

58. (New) A method for treating keratin fibres as claimed in claim 57, wherein said reshaping is retained.

59. (New) A method for treating keratin fibres to obtain a reshaping of said keratin fibres as claimed in claim 57, further comprising rinsing the oxidizing composition from the keratin fibres.

60. (New) A method for treating keratin fibres to obtain a reshaping of said keratin fibres as claimed in claim 57, wherein said oxidizing composition further comprises an auxiliary oxidizing agent.

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000

61. (New) A ready-to-use dye composition comprising a uricase from *Arthrobacter globiformis*, uric acid, (C₈ -C₁₀) alkyl polyglucoside, para-phenylenediamine, resorcinol, polyurethane ether, ethanol, monoethanolamine, and demineralized water.

62. (New) A ready-to-use oxidizing composition for permanent-waving or bleaching of keratin fibres comprising a uricase from *Arthrobacter globiformis*, uric acid, ethanol, (C₈ -C₁₀) alkyl polyglucoside, hydroxymethylcellulose modified with a cetyl chain, 2-methyl-2-amino-1-propanol, and demineralized water.

63. (New) A method for dyeing keratin fibres comprising applying the ready-to-use composition as claimed in claim 61 to said fibres for a time sufficient to achieve a desired coloration.

64. (New) A method for treating keratin fibres to obtain a reshaping of said keratin fibres, said method comprising:

(a) applying a reducing composition to the keratin fibres, wherein the keratin fibres are placed under mechanical tension before, during, or after the application of the reducing composition, and

09/27/2001 06:10 PM RECEIVED

(b) applying the ready-to-use oxidizing composition as claimed in claim 62 to the keratin fibres.

65. (New) A method for treating keratin fibres to obtain a reshaping of said keratin fibres as claimed in claim 64, further comprising rinsing the ready to use oxidizing composition from the keratin fibres.

66. (New) A method for bleaching keratin fibres comprising:

(a) applying to said keratin fibres an oxidizing composition comprising at least one enzyme of a 2-electron oxidoreductase type in the presence of at least one donor for said at least one enzyme of a 2-electron oxidoreductase type, and at least one nonionic amphiphilic polymer having at least one hydrophilic unit and at least one fatty chain, in a support suitable for keratin fibres, and

(b) rinsing said keratin fibres.

67. (New) A method for bleaching keratin fibres comprising:

(a) applying the ready-to-use oxidizing composition as claimed in claim 62, to said keratin fibres, and

(b) rinsing said keratin fibres.

REMARKS

Claims 1-32 have been cancelled, and claims 33-67 have now been added.


Claims 33-48 correspond to non-elected and cancelled claims 51-66 from parent application 09/319,208; claims 49-60 basically correspond to non-elected and cancelled claims 73-84 from the parent; and claims 61-67 correspond to non-elected and cancelled claims 86-92 from the parent. It is submitted that support for these new claims can be found in the original specification and claims. Care has been taken so that no new matter has been added. Applicants now await an action on the merits.

Please grant any extensions of time needed to enter this preliminary amendment and charge any additional required fees to our deposit account 06-0916 if necessary.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By:


Jeremy M. Stipkala
Reg. No. 44,359

Dated: June 11, 2001

FOR FILING

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N. W.
WASHINGTON, DC 20005
202-408-4000